



DTOG Rec'd PCT/PTO

01 OCT 2002

2280-129

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Kees Frederik Van Malssen et al.  
Serial No. : 10/048,139  
Filed : January 22, 2002  
For : METHOD FOR THE MANUFACTURE OF CHOCOLATE

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. 1.53(b)**

hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231

September 20, 2002  
Date of Deposit

Marta E. Delsignore  
Attorney Name

32,689  
PTO Registration No.

Marta E. Delsignore  
Signature

September 20, 2002  
Date of Signature

Assistant Commissioner for Patents  
**Box Missing Parts**  
Washington, DC 20231

Sir:

Responsive to the Notice to File Missing Parts of Application Under 37 C.F.R. 1:53(b), enclosed herewith is the reissue specification referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.173(a)(1):

- ☐ Name of inventor and application serial number;
- ☒ Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ Name of inventor, title of invention and filing date;
- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;

- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Also enclosed are:

1. ☒ A check in the amount of \$65.00  
☐ \$130 - Other than Small Entity  
☒ \$ 65 - Small Entity  
representing payment of the surcharge  
due for late filing of the Declaration  
pursuant to 37 C.F.R. 1.16(e);
2. ☒ A two month extension of time to file the Response  
to Missing Parts is respectfully requested.  
The required fee, calculated pursuant to  
1.136(a), is enclosed in the amount of \$ 200.00
3. ☐ Other

\$265.00

TOTAL FEE \$265.00

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 50-1145. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*Marta E. Delsignore*

Marta E. Delsignore  
Patent Office Reg. No 32,689  
Attorney for Applicant

Pitney, Hardin, Kipp & Szuch LLP  
685 Third Avenue, 19<sup>th</sup> Floor  
New York, NY 10017  
(212) 297-5800

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01 00:254  
02 00:216

65.00 DP  
200.00 DP

- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Also enclosed are:

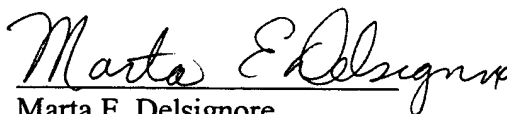
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Respectfully submitted,



Marta E. Delsignore  
Patent Office Reg. No 32,689  
Attorney for Applicant

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UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/048,139	FIRST NAMED APPLICANT Kees Frederik Van Malssen	ATTY. DOCKET NO. EL 905055840 US
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INTERNATIONAL APPLICATION NO. PCT/NL00/00525
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I.A. FILING DATE 07/24/2000	PRIORITY DATE 07/23/1999
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Marta E Delsignore  
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RECEIVED

MAY 30 2002

PITNEY HARDIN KIPP &amp; SZUCH LLP.

CONFIRMATION NO. 2743

371 FORMALITIES LETTER



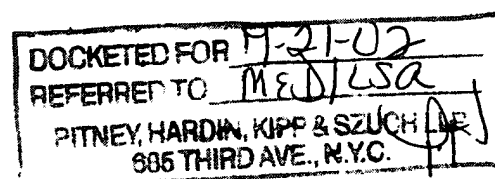
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Date Mailed: 05/21/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination
- Small Entity Statement



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/048,139	PCT/NL00/00525	EL 905055840 US

FORM PCT/DO/EO/905 (371 Formalities Notice)